

REMARKS

Claims 7–10, 14, 15, 19, 20, 24, 25, and 29 are pending. No amendment has been made. Per the request made in the Advisory Action, a Declaration under 37 C.F.R. 1.132 and a copy of JP 50-122601, with a circle written in around the Japanese characters that was erroneously translated as “shrinkage” in Murakami et al (US 4,264,667) in column 7, line 55, are submitted with this Response.

Rejections under 35 U.S.C. § 102(b)

Claims 7-10, 15, 20, and 25 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Murakami et al. Applicants respectfully traverse the rejections.

The arguments submitted in the Response to Final Office Action under 37 C.F.R. §1.116 filed August 12, 2008 are incorporated herein by reference.

The Advisory Action dated August 22, 2008 contends that Applicants have not submitted the Japanese document of JP 50-122601 in the form of a Declaration with a circle written in around the Japanese characters that are erroneously translated as “shrinkage.” Applicants hereby submit a Declaration under 37 C.F.R. 1.132 signed by Takeshi Komatani, who prepared the English translation of Japanese Patent Application No. 50-122601 that was filed, along with a Certificate of Translation signed by Takeshi Komatani, at the U.S. Patent and Trademark Office on August 12, 2008. Applicants also submit a copy of JP 50-122601 with a circle written in around the Japanese characters (page 359, the left column, lines 32-33) that were erroneously translated as “shrinkage” but should be translated as “relaxation ratio” in Murakami in column 7, line 55. Because of the translation error, Murakami only discloses a **relaxation ratio** of within 50%, but does not teach or suggest a heat **shrinkage** of within 50%, let alone the specific heat shrinkage properties as recited in the claims.

For at least the reasons stated above, Murakami does not teach or suggest a polyester film having the shrinkage and adhesive properties as recited in the present claims. Claims 7-10, 15, 20, and 25 are not anticipated by Murakami. Withdrawal of the rejections under 35 U.S.C. § 102(b) is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Claims 14, 19, 24, and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murakami et al. in view of U.S. Patent No. 4,996,291 (“Yoshinaka et al.”). Applicants respectfully traverse the rejections.

As discussed above, Murakami does not teach or suggest all the limitations as recited in the present claims. The deficiency is not cured by Yoshinaka because Yoshinaka does not teach the heat shrinkage or adhesive retention properties recited in the claims either.

For at least the reasons stated above, claims 14, 19, 24, and 29 would not have been obvious over Murakami in view of Yoshinaka. Withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

Applicants submit that the claims are allowable and an early and favorable action to that effect is respectfully requested.

The Examiner is invited to contact the undersigned to discuss any issues regarding this application.

In the event that the filing of this paper is deemed not timely, applicants petition for an appropriate extension of time. The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon LLP's Deposit Account No. 11-0600.

Respectfully submitted,
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Enclosures

1. Declaration under 37 C.F.R. 1.132
2. A copy of JP 50-122601, with a circle written in around the Japanese characters that was erroneously translated as "shrinkage" in Murakami et al (US 4,264,667) in column 7, line 55